

FILED 10 MAY 06 15:37 USDC-ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

BRIAN CRAIG FRIEND,

Petitioner,

Civil No. 07-493-PK

v.

O R D E R

BRIAN BELLEQUE,

Respondent.

HAGGERTY, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation [50] in this action. The Magistrate Judge recommended denying Petitioner's Petition for Writ of Habeas Corpus [1] and entering a Judgment dismissing this case with prejudice.

Petitioner has filed objections through his counsel [53]. When a party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The court has given the file of this case a *de novo* review, and has also carefully evaluated the Magistrate Judge's Findings and Recommendations, petitioner's objections and supplemental objections, and the record of the case. The Findings and Recommendation is well-reasoned, without error, and adopted in its entirety. The objections rely primarily upon argument and authorities advanced before the Magistrate Judge, and raise no challenges compelling further analysis.

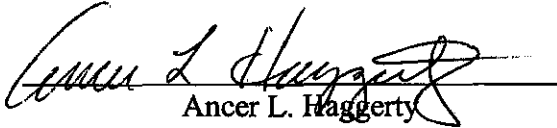
CONCLUSION

The Magistrate Judge's Findings and Recommendation [50] in this action is adopted. Petitioner's Petition for Writ of Habeas Corpus [1] is denied, and Judgment will be entered dismissing this case with prejudice.

This court also declines to issue a Certificate of Appealability on the basis that petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

Dated this 6 day of May, 2010.


Ancer L. Haggerty
United States District Judge